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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,036	07/12/2001	Jonathan J. Hull	015358-006000US	2402
20350	7590	07/11/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			CHEN, CHONGSHAN	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/905,036

Applicant(s)

HULL ET AL.

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/12/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12 April 2005 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 12 April 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobrow et al. (hereinafter "Bobrow", Pub. No.: US 2002/0029232 A1) in view of Applicant's disclosure.

As per claim 1, Bobrow discloses a computer-implemented method of providing information to a user based upon contents of a first document displayed to the user, the method comprising:

identifying at least a first section of the first document (Bobrow, Fig. 6, page 5, [0063]);  
extracting a first set of one or more information objects from the first section of the first document, the first set of information objects comprising at least a first information object comprising information of a first type, wherein the first information object is one of an audio object, a video object, or an image object (Bobrow, Fig. 6, page 5, [0063]);

selecting a third set of one or more information objects from information objects in the second set of information objects based on the degree of relevancy information determined for information objects in the second set of information objects, wherein information objects in the third set of information objects store information to be output to the user when the first document is being displayed to the user (Bobrow, Fig. 2, element 212, Search Engine, element 218, Search Engine Interface, page 16, [0155] – page 17, [0157]).

Bobrow does not explicitly disclose determining degree of relevancy information for a second set of one or more information objects, the degree of relevancy information indicating the relevancy of information objects in the second set of information objects to information objects in the first set of information objects, wherein the second set of information objects comprises at least one information object comprising information of a second type, wherein the second type is different from the first type, and wherein determining the degree of relevancy information comprises determining a degree of relevancy of the at least one information object to the first information object from the first set of information objects. Applicant's disclosure discloses the

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means for determining degree of relevancy information for a second set of one or more information objects, the degree of relevancy information indicating the relevancy of information objects in the second set of information objects to information objects in the first set of information objects, wherein the second set of information objects comprises at least one information object comprising information of a second type, wherein the second type is different from the first type, and wherein determining the degree of relevancy information comprises determining a degree of relevancy of the at least one information object to the first information object from the first set of information objects is known in the art (Applicant's disclosure, page 21, [80], page 22, [84]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bobrow by incorporating the means for determining the relevancy between different type of objects as disclosed by the applicant's disclosure (Applicant's disclosure, page 21, [80], page 22, [84]). The motivation being to enable the system to identify and retrieve different type of objects which have related contents.

As per claim 2, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach the first section of the first document corresponds to a section of the first document displayed to the user, wherein the section of the first document displayed to the user is less than the entire first document (Bobrow, page 5, [0063]).

As per claim 3, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach the first section of the first document corresponds to the entire first document (Bobrow, page 5, [0063]).

As per claim 4, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach extracting the first set of information objects from the

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first section of the first document comprises: for each information object in the first set of information objects: identifying a type of the information object based upon contents of the information object; determining a first content recognition technique based upon the type of the information object; and applying the first content recognition technique to the information object to determine information related to the contents of the information object (Applicant's disclosure, page 21, [80], page 22, [84]).

As per claim 5, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach determining the degree of relevancy information for the second set of information objects comprises: identifying a plurality of selection techniques for determining the degree of relevancy information; and for each selection technique in the plurality of selection techniques, applying the selection technique to generate relevancy scores for information objects in the second set of information objects, the relevancy scores indicating the relevancy of information objects in the second set of information objects to information objects in the first set of information objects calculated using the selection technique; and selecting the third set of information objects comprises: selecting one or more information objects from the second set of information objects to be included in the third set of information objects based upon the relevancy scores for information objects in the second set of information objects calculated using the plurality of selection techniques (Bobrow, page 16, [0155] – page 17, [0157], Applicant's disclosure, page 21, [80] - page 22, [84]).

As per claim 6, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 5, and further teach calculating an aggregate relevancy score for the information object by aggregating the relevancy scores generated for the information object by

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applying the plurality of selection techniques (Applicant's disclosure, page 21, [80], page 22, [84]); and selecting the information object to be included in the third set of information objects if the aggregated relevancy score calculated for the information object is above a threshold value (Bobrow, page 16, [0155] – page 17, [0157], Applicant's disclosure, page 21, [80] - page 22, [84]).

As per claim 7, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach identifying a first selection technique and a second selection technique for determining the degree of relevancy information; and applying the first selection technique to generate a first set of relevancy scores for information objects in the second set of information objects, the first set of relevancy scores indicating the relevancy of information objects in the second set of information objects to information objects in the first set of information objects calculated using the first selection technique; applying the second selection technique to generate a second set of relevancy scores for information objects in the second set of information objects, the second set of relevancy scores indicating the relevancy of information objects in the second set of information objects to information objects in the first set of information objects calculated using the second selection technique; and selecting the third set of information objects comprises: selecting one or more information object form the second set of information objects to be included in the third set of information objects based upon the first set of relevancy scores and the second set of relevancy scores (Bobrow, page 16, [0155] – page 17, [0157], Applicant's disclosure, page 21, [80] - page 22, [84]).

As per claim 8, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 7, and further teach determining a set of one or more concepts of interest to

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the user; determining relevancy of each information object in the first set of information objects to each concept in the set of concepts; determining relevancy of each information object in the second set of information objects to each concept in the set of concepts; and calculating the first set of relevancy scores based upon the relevancy of each information object in the first set of information objects to each concept in the set of concepts and based upon the relevancy of each information object in the second set of information objects to each concept in the set of concepts, wherein each relevancy score in the first set of relevancy scores indicates a degree of relevancy of an information object in the second set of information objects to an information object in the first set of information objects for a particular concept included in the set of concepts (Bobrow, page 5, [0063], page 7, [0075], page 16, [0155] – page 17, [0157], Applicant's disclosure, page 21, [80] - page 22, [84]).

As per claim 9, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 7, and further teach for each information object in the first set of information objects: identifying a type of the information object based upon contents of the information object; determining a comparison technique based upon the type of the information object; and for each information object in the second set of information objects, applying the comparison technique to generate a relevancy score for the information object in the second set of information objects, the relevancy score indicating a degree of relevance of the information object in the second set of information objects to the information object in the first set of information objects using the comparison technique determined based upon the type of the information object in the first set of information objects (Bobrow, page 5, [0063], page 7, [0075], page 16, [0155] – page 17, [0157], Applicant's disclosure, page 21, [80] - page 22, [84]).



As per claim 10, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach communicating the third set of information objects to a user system which is used to output information stored by information objects in the third set of information objects to the user (Bobrow, Fig. 2, page 16, [0155] – page 17, [0157]).

As per claim 11, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 1, and further teach the first document is displayed to the user using an access program and the information stored by information objects in the third set of information objects is output to the user in a predetermined area of the access program (Bobrow, Fig. 2, page 16, [0155] – page 17, [0157]).

As per claim 12, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 11, and further teach the access program is a web browser and the first document is a web page (Bobrow, Fig. 1 & 2).

Claim 13 is rejected on grounds corresponding to the reasons given above for claim 1.

As per claim 14, Bobrow discloses a computer-implemented method of providing information to a user based upon contents of a document displayed to the user, the method comprising:

- accessing a first set of one or more content provider information objects (CPIOs) (Bobrow, Fig. 2, Fig. 6, page 5, [0063]);

- extracting a set of one or more user document information objects (UDIOs) from the document, the set of UDIOs comprising a first UDIO comprising information of a first type (Bobrow, Fig. 6, page 5, [0063]);

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selecting a second set of one or more CPIOs from the first set of CPIOs based upon the degree of relevancy information for the CPIOs calculated using the plurality of selection techniques, wherein information objects in the second set of CPIOs store information to be output to the user when the document is being displayed to the user (Bobrow, Fig. 2, element 212, Search Engine, element 218, Search Engine Interface, page 16, [0155] – page 17, [0157]).

Bobrow does not explicitly disclose identifying a plurality of selection techniques for determining degree of relevancy information for the first set of CPIOs, the first set of CPIOs comprising at least one information object comprising information of a second type that is different from the first type, the plurality of selection techniques comprising a first selection technique and a second technique, wherein the first technique compares contents of the UDIOs and the CPIOs, wherein the second technique determines relevancy of the UDIOs and the CPIOs to one or more concepts of interest to a user; for each selection technique in the plurality of selection techniques, applying the selection technique to generate degree of relevancy information for the CPIOs in the set of CPIOs, the degree of relevancy information indicating the relevancy of the CPIOs to the UDIOs in the set of UDIOs calculated using the selection technique. Applicant's disclosure discloses that the means for identifying a plurality of selection techniques for determining degree of relevancy information for the first set of CPIOs, the first set of CPIOs comprising at least one information object comprising information of a second type that is different from the first type, the plurality of selection techniques comprising a first selection technique and a second technique, wherein the first technique compares contents of the UDIOs and the CPIOs, wherein the second technique determines relevancy of the UDIOs and the CPIOs to one or more concepts of interest to a user; for each selection technique in the plurality

of selection techniques, applying the selection technique to generate degree of relevancy information for the CPIOs in the set of CPIOs, the degree of relevancy information indicating the relevancy of the CPIOs to the UDIOs in the set of UDIOs calculated using the selection technique is known in the art (Applicant's disclosure, page 21, [80], page 22, [84]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bobrow by incorporating the means for determining the relevancy between different type of objects as disclosed by the applicant's disclosure (Applicant's disclosure, page 21, [80], page 22, [84]). The motivation being to enable the system to identify and retrieve different type of objects which have related contents.

Claims 15-27 and 29-41 are rejected on grounds corresponding to the reasons given above for claims 1-13.

Claims 28 and 42 are rejected on grounds corresponding to the reasons given above for claim 14.

As per claim 43, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 42, and further teach at least one CPIO included in the first set of CPIOs is provided by a content provider system coupled to the server system (Bobrow, Fig. 1 & 2).

As per claim 44, Bobrow and applicant's disclosure teach all the claimed subject matters as discussed in claim 42, and further teach the first set of CPIOs comprises a first CPIO and a second CPIO, wherein the first CPIO is provided by a first content provider system coupled to the server system and the second CPIO is provided by a second content provider system coupled to the server system (Bobrow, Fig. 1 & 2).

*Response to Arguments*

5. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.


*Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (571) 272-4031. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chongshan Chen  
June 24, 2005

  
JEAN M. CORRIELLUS  
PRIMARY EXAMINER